

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, ) CASE NO. MJ 16-362  
)  
Plaintiff, ) (C.D. CA. No. 16-00361-BRO)  
)  
v. ) DETENTION ORDER  
)  
CURTIS W. SMITH, )  
)  
Defendant. )  
\_\_\_\_\_ )

Offenses Charged: Violations of Conditions of Supervised Release

Procedural History and Status

Defendant was originally convicted in this court (W.D. WA) for aiding and abetting a bank robbery. Judge Richard A. Jones imposed a sentence of 37 months of imprisonment, followed by 3 years of supervised release. Jurisdiction of the case (including supervision) was transferred to the Central District of California on May 25, 2016. Defendant has been a long-term resident of that district. In June of 2016 the United States charged defendant with various violation of supervised release. He was arrested in this district. At his appearance following that arrest defense counsel asked for an opportunity to explore the possibility of re-transferring the case to this court for disposition. Pending that effort, the court did not require

defendant to admit or deny the alleged violations at this time, and set a status hearing for August 31, 2016 at 11:00 a.m. before Judge Theiler.

Alleged Violations of Supervised Release

The USPO in Los Angeles filed a petition on June 23, 2016, alleging seven violations of the conditions of supervised release. In summary, these include a failure to report to the USPO, two failures to participate in a program for drug testing and treatment, use of cocaine on two occasions, changing place of residence without notifying the USPO, and failure to report to an adult rehab center.

Date of Detention Hearing: August 17, 2016.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) When a defendant is charged with violations of conditions of supervised release, there is a presumption that he will be detained. Nothing in this record rebuts that presumption in any way.

(2) The USPO and law enforcement allege defendant has a longstanding connection with the Roaring 30s Piru Bloods street gang.

(3) They also allege that he has been known to use PCP "all day," and engages in erratic

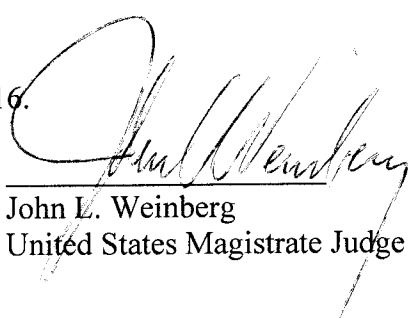
01 behavior and yelling.

02 (4) Defendant declined to be interviewed by this court's Probation Officer.

03  
04 It is therefore ORDERED:

- 05 1. Defendant shall be detained pending trial and committed to the custody of the  
06 Attorney General for confinement in a correction facility separate, to the extent  
07 practicable, from persons awaiting or serving sentences or being held in custody  
08 pending appeal;
- 09 2. Defendant shall be afforded reasonable opportunity for private consultation with  
10 counsel;
- 11 3. On order of the United States or on request of an attorney for the Government, the  
12 person in charge of the corrections facility in which defendant is confined shall deliver  
13 the defendant to a United States Marshal for the purpose of an appearance in  
14 connection with a court proceeding;
- 15 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
16 for the defendant, to the United States Marshal, and to the United States Probation  
17 Officer.

18 DATED this 17th day of August, 2016.

19   
20 John L. Weinberg  
21 United States Magistrate Judge  
22